

In the Matter Of:

DWAIN EDWARD THOMAS vs

KEVIN STITT

T. HASTINGS SIEGFRIED

June 14, 2024



1 T. HASTINGS SIEGFRIED (6/14/2024)

2 A. I understand that they can
3 recommend parole for certain inmates. I
4 don't know how they identify those
5 potential inmates for parole.

6 Q. You understand that the
7 governor can grant parole to certain
8 categories of inmates?

9 MS. BRIGIDA: Object to form.

10 A. I understand that the governor
11 can recommend parole for certain inmates,
12 but I don't know related to the category
13 that you're referencing to.

14 Q. Does the Board of Corrections
15 ever communicate with PPB?

16 MS. BRIGIDA: Object to form.

17 A. No, not to my knowledge. I
18 don't.

19 Q. Are you aware of any situations
20 where the Board of Corrections has
21 communicated with the Pardon and Parole
22 Board?

23 A. No.

24 Q. What is the Board of
25 Corrections' relationship to the Department

1 T. HASTINGS SIEGFRIED (6/14/2024)
2 of Corrections?

3 A. So just to clarify, what is the
4 Board of Corrections' relationship to the
5 Department of Corrections?

6 Q. Yes.

7 A. The -- we oversee the policy,
8 the financials for approval, a governing
9 board of certain aspects related to the
10 statutes that are called out that require
11 board approval.

12 Q. You understand that the
13 Department of Corrections will provide
14 inmate information to the Pardon and Parole
15 Board as part of the parole process?

16 MS. BRIGIDA: Object to form.

17 A. I understand that as it is
18 stated in the policy, in the BOC policy.

19 Q. And does the BOC policy apply
20 to the Department of Corrections?

21 A. Yes.

22 Q. Can the Department of
23 Corrections deviate from the BOC policy?

24 MS. BRIGIDA: Object to form.

25 A. Not to my awareness.

1 T. HASTINGS SIEGFRIED (6/14/2024)

2 the board.

3 Q. My question is if you

4 understand that the Department of

5 Corrections is obligated to follow the

6 policies that are set by the Board of

7 Corrections?

8 MS. BRIGIDA: Object to form.

9 A. Policy is set and flowed to

10 create procedures, that's what I'm aware

11 of, that's what I know. How it's done, I'm

12 not aware. It's not our role as the Board

13 of Corrections to dictate OPs.

14 Q. Do you understand that

15 Department of Corrections' operation

16 policies can govern the type of information

17 that is captured in an inmate's file and is

18 ultimately used to evaluate an inmate

19 during their parole consideration?

20 A. No, I'm not.

21 MS. BRIGIDA: Object to form.

22 Q. Are you aware that there are

23 Department of Corrections' operational

24 policies that govern an inmate's security

25 classification?

1 T. HASTINGS SIEGFRIED (6/14/2024)

2 A. No, I'm not aware of OP policy
3 details and how they are carried out or
4 followed with or developed.

5 Q. Has Board of Corrections ever
6 established any parole process policy for
7 the Department of Corrections that is
8 specific to inmates who are juveniles at
9 the time of their underlying offense?

10 A. Again, when you say parole,
11 there are two very different things and I
12 don't know why you keep saying parole
13 because the pardon and parole is completely
14 separate. I have -- I and the board, as
15 the board representative, has no
16 involvement in pardon and parole. The
17 parole process that Department of
18 Corrections and the board has oversight is
19 a function of supervision after pardon and
20 parole board decisions are made. They are
21 not tied together.

22 MS. HAGEN: Caylob, could you
23 please put up tab seven. We'll mark
24 this as Plaintiff's Exhibit 32.

25 (Plaintiff's Exhibit 32,

73

1 T. HASTINGS SIEGFRIED (6/14/2024)

2 2022; is that right?

3 A. Yes.

4 Q. Did you have a hand in drafting
5 any part of this policy?

6 A. No.

7 Q. Did you review this policy
8 before you signed it?

9 A. Yes.

10 Q. And to your knowledge, is this
11 the most recent version of this policy?

12 A. Yes.

13 Q. This policy is titled
14 Classification and Case Management of
15 Inmates/Offenders; do you see that?

16 A. Yes.

17 Q. Is it your understanding that
18 this policy governs the Department of
19 Corrections' policies relating to
20 classification and case management, right?

21 MS. BRIGIDA: Object to form.

22 A. It states and directs that the
23 Department of Corrections will have policy
24 in the manner.

25 Q. What do you mean by "policy in

1 T. HASTINGS SIEGFRIED (6/14/2024)

2 the manner"?

3 A. It states that there will be an

4 operating procedure or other process to be

5 able to follow this policy.

6 Q. So the Department of
7 Corrections' classification and case
8 management policies need to comply with
9 this policy P-060100?

10 A. Yes.

11 MS. BRIGIDA: Object to form.

12 Q. The opening part of this policy
13 says, "The Oklahoma Department of
14 Corrections (ODOC) properly classifies
15 inmates/offenders, administers sentences,
16 and provides clemency consideration in
17 accordance with the order of the court s
18 and statutory requirements."

19 Do you see that?

20 A. Yes.

21 Q. Is it your understanding that
22 in Oklahoma, the term "clemency" can also
23 mean parole?

24 MS. BRIGIDA: Object to form.

25 A. I don't -- I don't know. Is

1 T. HASTINGS SIEGFRIED (6/14/2024)

2 this section of the policy details the

3 Board of Corrections' standing committees?

4 A. Yes.

5 Q. Number 1 listed here is the

6 Executive Committee, and you testified

7 earlier that you serve on that committee;

8 is that right?

9 A. Yes.

10 Q. What is your role on that

11 committee?

12 A. The chair.

13 Q. If we scroll to the next page,

14 still on the Executive Committee section,

15 subsection b says the, "Duties of the

16 Executive Committee shall include" and then

17 it list three items; do you see that?

18 A. Yes.

19 Q. Number 2 says that the duty of

20 the Executive Committee shall include

21 "Reviewing OBOC policies and recommending

22 changes to be presented to the OBOC."

23 Do you see that?

24 A. Yes.

25 Q. Has the Board of Corrections

89

1 T. HASTINGS SIEGFRIED (6/14/2024)

2 ever reviewed a policy or recommended

3 changes to a policy related to parole for

4 JLWP inmates?

5 MS. BRIGIDA: Object to form.

6 A. I'm not aware of -- when you

7 say parole, are you referring to a policy

8 related to pardon and parole, no. That is

9 not our duties nor knowledge or

10 involvement.

11 Q. Has the Board of Corrections --

12 has the Executive Committee reviewed any

13 Board of Corrections' policies related in

14 any way to parole?

15 A. Pardon and parole, no. I just

16 want to clarify that when you refer to

17 parole, no, there is no involvement

18 whatsoever, so would you please reference

19 when you say parole, so we don't get

20 confused.

21 Pardon and parole reference or

22 probation and parole, could you restate the

23 question with those two, because I -- we

24 deal with the parole process after someone

25 is paroled, that's the responsibility or

1 T. HASTINGS SIEGFRIED (6/14/2024)
2 reviewing policy of pardon and parole, no.
3 They request information just like any
4 other statutory change or requirement that
5 is put on the Department of Corrections is
6 required by law, then the policy will be
7 reviewed by the board to make changes in
8 accordance with those requirements.

9 Q. We can scroll down to number 3,
10 which is Population/Security/Private Prison
11 Committee; do you see that there?

12 A. Yes.

13 Q. Who is the chair of this
14 committee?

15 A. I am.

16 Q. And this committee is
17 responsible for reviewing the Department of
18 Corrections' operating procedures; is that
19 right?

20 MS. BRIGIDA: Object to form.

21 MS. HAWKINS: Object to form.

22 A. Where does it say that?

23 Q. Number 3 says, "Reviewing ODOC
24 policies and procedures" -- sorry.

25 Reviewing -- sorry, number 1, "Reviewing

1 T. HASTINGS SIEGFRIED (6/14/2024)

2 the ODOC's population status, operating

3 procedures, and the review and approval of

4 facilities' authorized capacity"?

5 A. Yes.

6 Q. So this committee of the Board

7 of Corrections is responsible for reviewing

8 Department of Corrections' operating

9 procedures?

10 MS. HAWKINS: Object to form.

11 A. As it relates to facilities in

12 the capacity, yes, if there are changes.

13 As it relates to population security in

14 private prisons, that is the --

15 Q. Has -- has this committee ever

16 reviewed a Department of Corrections'

17 facility operations procedure that relates

18 specifically to JLWP inmates?

19 MS. BRIGIDA: Object to form.

20 A. What is the term again of JLWP?

21 MS. HAGEN: Caylob, could you

22 put up Exhibit 28, tab one again,

23 please.

24 A. I wrote a note. You can go

25 back. No, we have not reviewed a procedure

1 T. HASTINGS SIEGFRIED (6/14/2024)

2 Q. Do you have any knowledge of

3 any individual inmates who are eligible for

4 parole?

5 A. No.

6 Q. And to be clear, you have no

7 knowledge of Plaintiff Thomas in his

8 eligibility for parole?

9 A. No.

10 Q. And it's your testimony today

11 that the Board of Corrections has no role

12 in the pardon and parole process; is that

13 right?

14 A. Correct.

15 Q. And you do not know anything

16 about the policies that the Department of

17 Corrections implements with respect to

18 pardon and parole?

19 A. With respect to pardon, no.

20 No, no involvement or knowledge of what the

21 policy or -- yeah, procedure is and related

22 to pardon and parole.

23 Q. And is it your testimony also

24 that you have not reviewed any of the OP

25 operating policies of the Department of